

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSE A. GOMEZ, JULIANA REYES,)
JUAN M. CRUZ, TED MCDONALD)
CECILIA ORTIZ, and MARIO CRUZ)
on behalf themselves and all other) CASE NO. 8:08-CV-021-JFB-TDT
similarly situated individuals,)
Plaintiffs,) ORDER ON PARTIES' JOINT MOTION
v.) TO EXTEND THE BRIEFING
TYSON FOODS, INC.) SCHEDULE FOR PLAINTIFFS'
(d/b/a Tyson Fresh Meats),) MOTION TO CERTIFY CLASS
Defendant.) PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 23

This matter is before the Court on the parties' Joint Motion to Extend the Briefing Schedule for Plaintiffs' Motion to Certify Class Pursuant to Federal Rule of Civil Procedure 23 ([Filing No. 65](#)). The Court has examined the Motion and, being fully advised, finds that the requested Order should be entered.

The parties' Joint Motion to Extend the Briefing Schedule for Plaintiffs' Motion to Certify Class Pursuant to Federal Rule of Civil Procedure 23 is granted. The briefing schedule is hereby amended as follows:

- a. Defendant's response brief to plaintiffs' Motion to Certify Class Pursuant to Federal Rule of Civil Procedure 23 ([Filing No. 62](#)) is due **September 20, 2010**.
- b. Plaintiffs' reply brief is due **October 4, 2010**.
- c. Should plaintiffs raise new facts or arguments in their reply brief, defendant may file a sur-reply brief for the limited purpose of responding to such facts or arguments by no later than **October 11, 2010**.

IT IS SO ORDERED.

Dated this 12th day of July, 2010.

BY THE COURT:

s/ Thomas D. Thalken
U.S. Magistrate Judge